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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

EDITH DIXON)	Case No. 3:15-cv-03298-LB
)	
Plaintiff,)	PLAINTIFF'S RESPONSE TO
)	DEFENDANT'S INTERROGATORIES,
vs.)	SET ONE
)	
MONTEREY FINANCIAL SERVICES, INC.,))	
)	
Defendant.)	
_____)	

PROPOUNDING PARTY: DEFENDANT MONTEREY FINANCIAL SERVICES, INC.,

RESPONDING PARTY: PLAINTIFF EDITH DIXON

SET NUMBER: ONE

TO DEFENDANT MONTEREY FINANCIAL SERVICES, INC. AND ITS ATTORNEYS OF
RECORD:

Plaintiff, EDITH DIXON ("Plaintiff"), by and through her attorneys, the Law Offices of
Todd M. Friedman, P.C., hereby responds as follows, pursuant to *Fed. R. Civ. P.* 33, to
MONTEREY FINANCIAL SERVICES, INC.'s ("Defendant") Interrogatories, Set One,

PRELIMINARY STATEMENT

These responses are made solely for the purpose of this action. Plaintiff has not completed
her investigation or discovery, and the responses set forth below are complete to the extent
possible based on information reasonably available at this time. Plaintiff reserves the right to

1 amend or supplement this response based on subsequently discovered information and documents
2 which may prove to be responsive to Defendant's request.

3 Each response is made subject to all objections as to competence, materiality, relevance or
4 other objection as to admissibility that may apply in the event that any such response, or the
5 information contained therein, is sought to be used in court. In responding to these interrogatories
6 Plaintiff expressly reserves all such objections including:
7

8 (a) All questions and objections as to competency, relevancy, materiality, privilege
9 admissibility as evidence for any purpose in any subsequent proceeding in, or the
10 hearing of this action, of any of these answers or the subject matter thereof;

11 (b) The right to object to the use of any of said answers, or the subject matter
12 thereof, in any subsequent proceeding, in or the hearing of this action, on any
13 grounds;
14

15 (c) The right to object on any grounds or at any time to demand for further
16 response to these or other discovery documents or other discovery procedures
17 involved or related to the subject matter of the special interrogatories herein
18 answered; and

19 (d) The right at any time, to revise, correct, add to or clarify any of said answers
20 propounded herein.
21

22 RESPONSE TO INTERROGATORIES

23 INTERROGATORY NO. 1:

24 Please identify the person or persons answering these interrogatories. Further, please
25 identify all other persons providing information responsive to these interrogatories, including their
26 title and work and home residence (no home residence is required for counsel for Plaintiff).

27 RESPONSE TO INTERROGATORY NO. 1:
28

1 Plaintiff objects to this interrogatory on the grounds that it: is overbroad as to scope and
2 time so as to be unduly burdensome, harassing, and oppressive.

3 Subject to and without waiving said objections, Plaintiff responds as follows: Plaintiff
4 identifies herself, Edith Dixon, 17155 Hesperian Blvd. Apt 115, San Lorenzo CA 94580. No other
5 person provided information responsive to these interrogatories directed at Plaintiff.
6

7 Plaintiff was assisted in preparing the interrogatories by: Todd Friedman, Esq., Law
8 Offices of Todd M. Friedman, P.C., 324 S. Beverly Dr., #725, Beverly Hills, CA 90212; Thomas
9 Wheeler, Law Clerk at the Law Offices of Todd M. Friedman, 245 Fischer Avenue, Costa Mesa,
10 CA 92626. Investigation continues.

11 INTERROGATORY NO. 2:

12 Please identify each every cellular telephone number that Dixon contends MFS contacted. In
13 doing so, please identify the company who provided the cellular service, i.e. Verizon, Sprint, to
14 the Plaintiff for each cellular telephone number provided.
15

16 RESPONSE TO INTERROGATORY NO. 2:

17 Plaintiff objects to this interrogatory on the grounds that it: is overbroad as to scope and
18 time so as to be unduly burdensome, harassing, and oppressive. Subject to and without waiving
19 said objections, Plaintiff responds as follows: Defendants contacted Plaintiff on her cellular
20 telephone number (510) 469-1147. The company providing the cellular service is Sprint.
21

22 INTERROGATORY NO. 3:

23 Please identify the date(s), the time(s) and the individual(s) Dixon spoke with at MFS
24 wherein she purportedly asked MFS to cease calling her on her cellular phone as alleged in
25 Paragraph 8 of the Amended Complaint and whether the Plaintiff or her agent/representative
26 recorded the conversation(s) by video or audio.

27 RESPONSE TO INTERROGATORY NO. 3:
28

1 Plaintiff objects to this interrogatory on the grounds that it: is overbroad as to scope and
2 time so as to be unduly burdensome, harassing, and oppressive. Further, this interrogatory calls for
3 information already available to Defendant or equally available to Defendant. Subject to these
4 objections, Plaintiff states: Plaintiff cannot recall with exact specificity the call, but believes she
5 revoked consent on or about September or October 2014. Plaintiff cannot specifically recall the
6 individual at MFS she spoke with and did not record the conversation by video or audio. Plaintiff
7 has sent a subpoena to Sprint for the phone records of (510) 469-1147 that may shed light on this
8 question. Investigation continues.
9

10 Dated: February 26, 2016

Law Offices of Todd M. Friedman, P.C.

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13 Todd M. Friedman, Attorney for
14 Plaintiff, EDITH DIXON
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Attorneys for Plaintiff

EDITH DIXON

Case No. 3:15-cv-03298-LB

Plaintiff,

VERIFICATION

vs.

MONTEREY FINANCIAL SERVICES, INC.,)

Defendant.

I am a party to this action. The matters stated in the foregoing documents are true of my knowledge except as to those matters which are stated on information and belief, and as those I believe them to be true.

Executed on 2-25 2016, at San Lorenzo.

CALIFORNIA.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Edith Dixon
EDITH DIXON

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My Business Address is 369 S. Doheny Dr, #415, Beverly Hills, CA 90211.

On February 26, 2016, I served the following document(s) described as: **Plaintiff's Responses to Defendant's Interrogatories, Set One**, on all interested parties in this action by placing:

- ☒ a true copy
☐ the original thereof enclosed in sealed envelope(s) addressed as follows:

Brendan H. Little
LIPES MATHIAS WEXLER FRIEDMAN LLP
665 Main Street, Suite 300
Buffalo, NY 14203

- ☐ BY FACSIMILE – The facsimile machine used complied with Rule 2003(3) and no error was reported by the machine. Pursuant to Rule 2008(e)(4), caused the machine to print a record of the transmission.

- ☒ BY MAIL (1013 a, 2015.5 CCP)

- ☐ I deposited such envelope in the mail at Beverly Hills, California. The envelope was mailed with postage thereon fully prepaid.

- ☒ I am readily familiar with the firm's practice for collection and processing correspondence for mailing. Under that practice, this document will be deposited with the U.S. Postal Service on this date with postage thereon fully prepaid at Costa Mesa, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

- ☒ STATE – I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on February 26, 2016, at Costa Mesa, California.

By: 
Thomas Wheeler